

Case 3:12-cv-05202-M-BN Document 46 Filed 03/19/14 Page 1 of 1 PageID 404  
IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

VICKEY R. ALLEN,

Plaintiff,

V.

BANK OF AMERICA, N.A., ET AL.,

Defendants.

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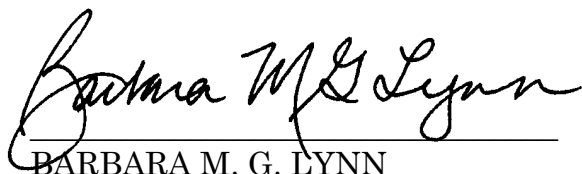
No. 3:12-cv-5202-M

**ORDER**

The United States Magistrate Judge made Findings, Conclusions and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions and Recommendation for plain error. Finding none, the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Defendant has failed to meet its burden to establish that federal jurisdiction exists over Plaintiff's action. Because the Court lacks subject matter jurisdiction over this action, as removed and docketed as Case No. 3:12-cv-5202-M-BN, the Court GRANTS Plaintiff's Motion to Remand [Dkt. No. 7] and remands the action – including any pending motions – to County Court at Law No. 1, Dallas County, Texas, from which it was removed. All pending motions in this federal case are termed.

SO ORDERED this 19<sup>th</sup> day of March, 2014.



BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS